

# DEPOSITION OF KEVIN OWENS

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE DISTRICT OF WYOMING

3       WILLIAM JEROME RUTH, individually,  
4       and as Wrongful Death Representative  
5       of the ESTATE OF CYNTHIA SHOOK RUTH,

6                   Plaintiff,

7       V.

8       BEARTOOTH ELECTRIC COOPERATIVE, INC.,  
9       a Montana Corporation, and ASPLUNDH  
10      TREE EXPERT, LLC, a Limited Liability  
11      Company formed in Pennsylvania,

12                   Defendants.

13                               DEPOSITION OF KEVIN OWENS  
14                               March 15, 2023  
15                               8:00 a.m.

16       PURSUANT TO THE UNITED STATES RULES OF FEDERAL  
17       PROCEDURE, this Deposition was:

18       TAKEN BY:       Robert Pahlke, Esq.  
19                               Attorney for Plaintiff

20       REPORTED BY:   Barbara Jean Morgenweck, RPR, CCR  
21                               NCRA, RPR  
22                               New Mexico CCR #526  
23  
24  
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11

1 Beartooth regard those as customers or members?  
 2 A. Members.  
 3 Q. And does that make a difference in terms of  
 4 how the members are treated as opposed to being a  
 5 customer?  
 6 A. In both regards it is part of the  
 7 cooperative business model, that it operates as a  
 8 cooperative. That any cooperatives that is formed  
 9 on is that your members or the owners of the  
 10 utility.  
 11 Q. And ultimately, you answer to the members?  
 12 A. I answer to the board of directors.  
 13 Q. Who answers to the members?  
 14 A. Yes, they are elected by the members.  
 15 Q. We talked about the code of conduct. Do you  
 16 understand that the code of conduct requires people  
 17 to take responsibility for their actions and  
 18 inactions?  
 19 A. Yes.  
 20 Q. And are you prepared to do that here today?  
 21 A. Absolutely.  
 22 Q. And in terms of responsibility, have you  
 23 ever as it relates to this particular case, a case  
 24 involving Mrs. Ruth?  
 25 A. Excuse me?

12

1 MR. PAHLKE: Can you read it back.  
 2 (The last question was read by the court  
 3 reporter.)  
 4 BY MR. PAHLKE:  
 5 Q. Has the Beartooth ever accepted any  
 6 responsibility?  
 7 A. For?  
 8 MR. BAILEY: Object to the form of the  
 9 question.  
 10 Go ahead.  
 11 BY MR. PAHLKE:  
 12 Q. For what happened to Mrs. Ruth?  
 13 A. No.  
 14 Q. You understand that is why we are here  
 15 today, to talk about that?  
 16 A. I understand that.  
 17 Q. And are you prepared to do that?  
 18 A. Yes.  
 19 Q. So I'd like to talk to you about a  
 20 PowerPoint presentation.  
 21 A. Uh-huh. Yes.  
 22 Q. And you created a PowerPoint presentation?  
 23 A. Yes.  
 24 Q. And you showed it to various people?  
 25 A. Correct.

13

1 Q. You showed it to Nate Hoffert, a part of it?  
 2 A. Yes.  
 3 Q. You showed it -- you showed part of it to  
 4 Jerry Ruth?  
 5 A. He was in attendance, correct.  
 6 Q. And then you later shared it to a group of  
 7 members in Clark, Wyoming, on January 17, 2022?  
 8 A. That is correct.  
 9 Q. Where is that PowerPoint?  
 10 A. Resides on my computer and our central file.  
 11 Q. Do you have any idea why that hasn't been  
 12 produced?  
 13 A. No, I don't.  
 14 Q. Is that something you have with you today?  
 15 A. No, I don't.  
 16 Q. Is that something you have access to today?  
 17 A. I could make some calls back to the office  
 18 and ask somebody to get into my computer to do that.  
 19 MR. PAHLKE: Can you do that today?  
 20 MR. BAILEY: Sure. What was the purpose --  
 21 do you want him to do that now, make the call now?  
 22 MR. PAHLKE: Let's do that at a break.  
 23 MR. BAILEY: Okay.  
 24 MR. PAHLKE: We will try to take a break  
 25 every hour, more or less, on the hour. Although, we

14

1 have totally violated that by at least an hour for  
 2 the last two days.  
 3 BY MR. PAHLKE:  
 4 Q. So let's talk about the PowerPoint.  
 5 A. Sure. Yes.  
 6 Q. You personally created the PowerPoint?  
 7 A. Yes.  
 8 Q. You had a purpose in creating it?  
 9 A. Yes, I did.  
 10 Q. And your purpose was what?  
 11 A. I felt a strong obligation back to the  
 12 members that were affected by the fire to -- out of  
 13 courtesy, more than anything else, that we had  
 14 concluded the initial part of the investigation.  
 15 And it was, more or less, a summary of what we knew  
 16 at the time.  
 17 Q. For the record, do you in any way share,  
 18 perform, hold yourself out to be a wildlife -- or a  
 19 cause of origin expert for determining the cause of  
 20 a fire such as the one that took Mrs. Ruth's life?  
 21 A. No, I don't.  
 22 Q. Have you ever done so?  
 23 A. No, I haven't.  
 24 Q. In your meeting with Nate Hoffert and  
 25 Mr. Ruth, were you trying to convey any particular

15

1 message to them?  
 2 A. No, it was more out of courtesy to meet with  
 3 them prior to the community meeting that night, so  
 4 they weren't blindsided by anything that was going  
 5 to be said or presented.  
 6 Q. And in that meeting, did you and Mr. Hoffert  
 7 have discussions about what happened?  
 8 A. Yes.  
 9 Q. And in that meeting, did you share with him  
 10 the findings of your first engineer?  
 11 A. Yes.  
 12 Q. And who was the first engineer?  
 13 A. Eric Black.  
 14 Q. Who was the engineer -- or who was the cause  
 15 of origin guy -- or origin and cause guy before that  
 16 was hired by Beartooth?  
 17 A. Nobody was ever hired by Beartooth.  
 18 Q. Who hired Eric Black?  
 19 A. Federated Insurance through their attorney.  
 20 Q. And who's IRIS?  
 21 A. I've red --  
 22 MR. BAILEY: I didn't hear.  
 23 MR. PAHLKE: IRIS.  
 24 MR. BAILEY: IRIS.  
 25 MR. PAHLKE: I-R-I-S.

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1 MR. BAILEY: Yeah.  
 2 THE WITNESS: I have just recently here in  
 3 the last couple weeks seen a report from IRIS that  
 4 was, I believe, just in reading the investigation  
 5 report from State Farm, I think engaged the services  
 6 of a firm named IRIS. That is the first I had heard  
 7 of it.  
 8 BY MR. PAHLKE:  
 9 Q. As general manager you were not presented  
 10 with that report?  
 11 A. Nope.  
 12 Q. Have claims by the homeowners been made  
 13 against Beartooth? I am talking about the  
 14 homeowners in the Clark area, who had damage -- fire  
 15 damage or lost their homes, have those claims been  
 16 made to Beartooth?  
 17 A. No.  
 18 Q. Have you had any discussion with any of  
 19 those homeowners?  
 20 A. I have had one particular call that I  
 21 remember from an individual that indicated he had  
 22 lost some hay bales and maybe a vehicle.  
 23 Q. Who?  
 24 A. I can't remember who that person's name was.  
 25 Q. And what did you say in response?

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1 A. It was an ongoing investigation at that  
 2 time. It was very early in the process.  
 3 Q. And has State Farm, to your knowledge, been  
 4 in contact with Beartooth?  
 5 A. I have no knowledge of any contact with  
 6 Beartooth --  
 7 Q. Who would --  
 8 A. -- from State Farm.  
 9 Q. Who would know?  
 10 A. Pardon?  
 11 Q. Who would know?  
 12 A. Excuse me? What was the question?  
 13 Q. Who would, on behalf of Beartooth, know  
 14 that?  
 15 A. Myself.  
 16 Q. Okay. In this PowerPoint presentation that  
 17 was made on January 17th, to Jerry Ruth and Nate  
 18 Hoffert --  
 19 A. There was another individual there as well  
 20 from the fire department.  
 21 Q. Who?  
 22 A. I don't know that individual's name.  
 23 Q. Was there someone else there from your  
 24 group?  
 25 A. Yes, Eric Elton came with me that day.

18

1 Q. And what was Eric Elton's role?  
 2 A. He is the superintendent of operations and  
 3 engineering at Beartooth.  
 4 Q. And what is his educational background?  
 5 A. Former lineman.  
 6 Q. High school and some college?  
 7 A. High school. I am not sure if there was any  
 8 college involved.  
 9 Q. In that meeting on January 17th, that --  
 10 let's set the scene -- that was in Clark?  
 11 A. At the fire hall.  
 12 Q. And was it in an office or was it in a  
 13 conference room?  
 14 A. It was more -- it's a small building, so it  
 15 was kind of their general meeting room.  
 16 Q. Table in the middle?  
 17 A. It was -- I believe it was more a horseshoe  
 18 shaped table layout. And we sat at one end.  
 19 Q. And you sat across from whom?  
 20 A. Jerry and Nate.  
 21 Q. And Eric as well?  
 22 A. Off to my left behind me. And we were kind  
 23 of in a row, similar to what Hank and I are right  
 24 now.  
 25 Q. And so Jerry and Mr. Hoffert were sitting

6 (Pages 15 to 18)

19

1 across the table, much like Ken and I are sitting  
 2 across the --  
 3 A. No. No, they were sitting on this side of  
 4 the table. That other individual from the fire hall  
 5 was sitting across the table at an angle, but...  
 6 Q. Was that Mark Griffith's?  
 7 A. I don't know the person's name.  
 8 Q. Were you introduced?  
 9 A. Introduced, but I never got his name. It  
 10 was mumbled.  
 11 Q. And you never sought clarification?  
 12 A. No.  
 13 Q. So I am curious about the anonymous person.  
 14 Do you remember telling them that an anonymous  
 15 person contacted Beartooth?  
 16 A. Yes, I do.  
 17 Q. Did that anonymous person come to you?  
 18 A. He came directly in -- his first contact  
 19 with Beartooth was with our staking engineer, Marty  
 20 Tomlin, is who he spoke to first. And I was  
 21 delivered a message that this individual -- Marty  
 22 came to me and notified me that this individual  
 23 was -- had some information on the fire and I should  
 24 give him a call back.  
 25 Q. And did you?

20

1 A. I did.  
 2 Q. And did you record that call?  
 3 A. No, I did not.  
 4 Q. And what is the person's name and phone  
 5 number?  
 6 A. Larry Martin, and his phone number is --  
 7 (A phone interruption occurred.)  
 8 (Discussion is held off the record.)  
 9 (The last question was read by the court  
 10 reporter.)  
 11 THE WITNESS: I don't have that. That is in  
 12 one of the Interrogatories that I provided somewhere  
 13 along the line. So it is in the file someplace.  
 14 BY MR. PAHLKE:  
 15 Q. Larry Martin is his name?  
 16 A. Yes.  
 17 MR. BAILEY: I can give you that number,  
 18 Bob, if you -- it is in our initial disclosures  
 19 if --  
 20 MR. PAHLKE: You don't have to if it is  
 21 there.  
 22 BY MR. PAHLKE:  
 23 Q. So where does Mr. Martin live?  
 24 A. Down in the Clark area.  
 25 Q. Do you know where?

21

1 A. No, I don't.  
 2 Q. Have you ever been to his home?  
 3 A. No, I haven't.  
 4 Q. Before the fire of November 15th, 2021, at  
 5 the Hutton property, the camp --  
 6 A. Oh, the Hutton?  
 7 Q. Hutton, yes. Thank you for correcting me.  
 8 -- had you ever been there?  
 9 A. No, I haven't -- hadn't.  
 10 Q. In terms of the geography that Beartooth  
 11 Electric serves, can you give us the number of  
 12 square miles that Beartooth serves?  
 13 A. I don't have the -- that number off the top  
 14 of my head. And usually the way I refer to it, that  
 15 people that inquire is, we serve from Red Point,  
 16 Montana to Clark, Wyoming. That is over quite a  
 17 distance.  
 18 Q. Ballpark, how far is it to -- you said  
 19 Red Point?  
 20 A. It is probably 80 miles, 80 to -- 80,  
 21 90 miles. That is just a guess.  
 22 Q. North of Red Lodge?  
 23 A. Northwest of Red Lodge.  
 24 Q. And how far are you from Clark?  
 25 A. I would guess 60 miles. It is an hour

22

1 drive.  
 2 Q. And that is kind of the north/south  
 3 dimensions, borders?  
 4 A. Yeah.  
 5 Q. And east/west, what are the borders?  
 6 A. I believe it is Highway 308 that runs  
 7 through Bridger and Fromberg down the Clark's Fork  
 8 Valley over -- as far as an eastern boundary.  
 9 Western boundary, the Stillwater Mountain.  
 10 North-wise it runs to Rapelje, Montana. Rapelje,  
 11 R-A-P-E-L-J-E.  
 12 Q. And Stillwater County, is that Columbus?  
 13 A. That is Columbus.  
 14 Q. Is there a reason at this meeting on  
 15 January 17th, why you told the people in attendance  
 16 that this person was anonymous?  
 17 A. I wasn't -- I didn't feel I was at liberty  
 18 to reveal their name because I hadn't talked to him  
 19 about revealing his name. And I didn't want a  
 20 hundred people calling him at his home address if I  
 21 had a release from him or some acknowledgement that  
 22 he wanted his name made public.  
 23 It is a close-knit community, I didn't want  
 24 to pit neighbor against neighbor. So that was my  
 25 concern at the time.

7 (Pages 19 to 22)

23

1 Q. Were you concerned that nobody would believe  
 2 this guy's story?  
 3 A. I was just stating the facts.  
 4 Q. Were you concerned that nobody would believe  
 5 this guy?  
 6 A. I wasn't concerned about that at the time.  
 7 Q. Did he -- tell me what he told you.  
 8 A. He just indicated -- when I called him back  
 9 that day, I asked him the nature of the call and why  
 10 he was calling us and whatever, and find out the  
 11 nature of why he was calling. And he -- I believe  
 12 he presented himself as somebody that had a past in  
 13 the fire industry.  
 14 And he was calling because he had had a  
 15 conversation with his daughter who lived up in the  
 16 Line Creek area. So it was, more or less, his  
 17 daughter making a statement to him, and he felt the  
 18 obligation at least to call us and state her claims.  
 19 Q. Any reason why she didn't state her claims  
 20 to you?  
 21 A. That is her choice. I have no knowledge why  
 22 she chose that.  
 23 Q. So what exactly did Mr. Martin tell you?  
 24 A. That he had spoke with his daughter and she  
 25 had indicated to him that she had seen people on the

24

1 premises up there --  
 2 Q. When?  
 3 A. -- in the area of where the fire started.  
 4 Q. When?  
 5 A. I don't know that.  
 6 Q. Did you ask?  
 7 A. I -- if I would have asked, I would have  
 8 remembered. So it was just in the context of when  
 9 the fire started in our conversation.  
 10 I believe that is what she was relaying to  
 11 me. In my mind, that is what I thought she was  
 12 telling me, that at the time that afternoon of the  
 13 fire she had seen people up in that proximity. That  
 14 is what she relayed to me.  
 15 Q. Two things. One, you're telling me this is  
 16 the afternoon of the fire?  
 17 A. That is what I believed she was telling me.  
 18 Q. And so --  
 19 A. That was my interpretation of the  
 20 conversation.  
 21 Q. So you're telling me, quote, she is telling  
 22 you?  
 23 A. Uh-huh. That is correct.  
 24 Q. And so now, the daughter, she is talking to  
 25 you?

25

1 A. That is correct. Because I asked Larry for  
 2 her phone -- her name and her phone number, so I can  
 3 talk to her directly.  
 4 Q. Did Larry Martin have any personal knowledge  
 5 of what she claimed to have seen? Did he claim to  
 6 have seen the same thing?  
 7 A. No, he did not.  
 8 Q. Did he tell you that he did not see  
 9 anything?  
 10 A. He didn't represent that at all. It was  
 11 all --  
 12 Q. Did --  
 13 A. It was all coming from a conversation he had  
 14 with his daughter who lived in the proximity of Line  
 15 Creek.  
 16 Q. And so you called the daughter?  
 17 A. I did.  
 18 Q. What day?  
 19 A. I'd have to go back and look on a calendar,  
 20 but it was in the week after that as far as the fire  
 21 was.  
 22 Q. Week after what?  
 23 A. The fire. It was within that week, ten days  
 24 after the fire, relatively soon.  
 25 Q. And you took her number down?

26

1 A. I took her number down and I called her.  
 2 Q. And she lives where?  
 3 A. Up at that Line Creek -- I believe she lives  
 4 up in that Line Creek development or subdivision.  
 5 Q. Do you know who her neighbors are?  
 6 A. No, I don't.  
 7 Q. Do you know how far she is from the Hutton  
 8 property or what is called the camp -- Be There  
 9 Ranch camp?  
 10 A. No, I don't. All I was doing was taking  
 11 down information because I knew I would pass it on  
 12 to somebody some day further down the line. She was  
 13 just a point of information to me at that point.  
 14 Q. Did you ask her what she does?  
 15 A. No.  
 16 Q. Did you ask her -- I guess you -- you said  
 17 it was in the afternoon that she had this  
 18 observation, true?  
 19 A. I don't remember whether she specifically  
 20 stated it was the afternoon, the evening or a  
 21 specific time of day.  
 22 Q. I could be wrong, but the record will tell  
 23 us. It was my understanding that she was sharing  
 24 observations of what happened that afternoon?  
 25 A. I wouldn't pin it down to that afternoon. I



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1 can't remember specifically what she said whether it  
 2 was that afternoon, that weekend, earlier in the  
 3 evening. I don't remember the specifics behind the  
 4 time of day she observed this.  
 5 Q. Do you know whether it was daylight or dark?  
 6 A. I don't remember whether she said the  
 7 afternoon, early evening, the days before that.  
 8 Q. Did she drive -- describe the pick-up?  
 9 A. Yes, she said it was a black pick-up, and  
 10 she said that she looked at the taillights and  
 11 thought they were Chevrolet truck pick-up lights,  
 12 taillights.  
 13 Q. So she is telling you based upon seeing the  
 14 taillights she thinks it's...  
 15 A. A Chevy truck.  
 16 Q. Tell me all that you remember from that  
 17 conversation?  
 18 A. That is about it. It was a very short  
 19 conversation. I took down, you know, the notes,  
 20 what I recall from it. It was a short conversation,  
 21 and I was just gathering information at that time.  
 22 Q. Tell me about your notes?  
 23 A. Just scribbling on them, stick-it pad, as  
 24 far as her name and number, the specifics about what  
 25 she said that she claimed she saw somebody up in

28

1 that area.  
 2 Q. You still have that note?  
 3 A. No.  
 4 Q. What did you do with it?  
 5 A. Cleaned it off my desk.  
 6 Q. You pitched it?  
 7 A. Yeah.  
 8 Q. Any reason why you didn't save it?  
 9 A. No. Never thought to. All it was was a  
 10 name and phone number.  
 11 Q. It was also a story.  
 12 A. I didn't write down the story.  
 13 Q. Did you dictate anything about the story  
 14 that she was telling you?  
 15 A. Probably in my conversations and what I  
 16 provided to the attorney.  
 17 MR. BAILEY: Don't discuss what you and I  
 18 have talked about.  
 19 THE WITNESS: Okay.  
 20 BY MR. PAHLKE:  
 21 Q. We are not interested in your conversations  
 22 with Mr. Bailey. But at any time other than  
 23 communication with Mr. Bailey after you got this  
 24 information, did you create a note for your office?  
 25 A. No, I didn't.

29

1 Q. Did you create a note for your insurance  
 2 company?  
 3 A. No, just a name and phone number.  
 4 Q. Other than your lawyers, who have you talked  
 5 to about this conversation with this lady?  
 6 A. Just as it was relayed in that presentation  
 7 that day that we had a call from the community that  
 8 indicated that there might have been some activity  
 9 that was or was not related to the fire itself.  
 10 Q. Did you give --  
 11 A. I mean, I gave it at that presentation in  
 12 the community hall. I have discussed it with our  
 13 attorneys, and all I was doing was relaying  
 14 information at that time.  
 15 Q. I am interested in the information relayed?  
 16 A. Just what I have discussed with you here is  
 17 the context of it. That was all that was noted in  
 18 my notes that I provided.  
 19 Q. What do you recall about what your  
 20 PowerPoint had to say about this young lady?  
 21 A. Just that we had received a call about other  
 22 activity in the area and that is what I presented,  
 23 just made people aware of it, didn't make a  
 24 determination one way or the other; but it was just  
 25 another fact at the time, not knowing whether it had

30

1 any bearing or not. I wasn't making any judgment on  
 2 that.  
 3 Q. When this meeting January 17th took place at  
 4 the fire hall --  
 5 A. Yes.  
 6 Q. Just a reminder, we want to have a good  
 7 record. We don't want to have the court reporter  
 8 mad at us. I want you to be able to say what you  
 9 want to say. I am appreciative if you let me finish  
 10 my question, and the main thing is don't talk over  
 11 each other.  
 12 And I would also say that if I ask you a  
 13 question you don't understand, would you just stop  
 14 me and ask me to repeat it or rephrase it, so you  
 15 and I can be on the same wavelength and have  
 16 accurate communications?  
 17 A. Agreed.  
 18 Q. Okay. And, obviously, if you need a break,  
 19 we will take a break unless a question is pending,  
 20 and then we will take a break after the question,  
 21 fair enough?  
 22 A. Fair enough.  
 23 Q. Now, with regard to the conversation or the  
 24 meeting on January 17th at the fire hall, Mr. Ruth  
 25 was there and Nate Hoffert was there and Eric was

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1 there and you were there. Do you remember Mr. Ruth  
 2 setting a recording device on the table?  
 3 A. I don't remember that, no.  
 4 Q. Have you seen that recording?  
 5 A. Just in the last week.  
 6 Q. Have you read the content of the transcript?  
 7 A. Yes, I have.  
 8 Q. Have you listened to the meeting?  
 9 A. No.  
 10 Q. I want to talk to you about your jobs. How  
 11 many years have you been involved in either rural  
 12 cooperatives or rural electric cooperatives or other  
 13 companies that sell electric energy to consumers?  
 14 A. With the exception of King County, which was  
 15 three or four years, be over 40, 42 years, 43 years.  
 16 Q. How many of those areas have rural aspects  
 17 to their consumer base?  
 18 A. All of them.  
 19 Q. How many of those have trees that grow up  
 20 around the power lines?  
 21 A. All of them.  
 22 Q. In all of those jobs that you have had in  
 23 the last 40 years, did you learn early on in the job  
 24 if not even before the job that trees growing in the  
 25 power lines or contacting the power lines can be

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1 trouble?  
 2 MR. BONA: Incomplete hypothetical;  
 3 overbroad. You can answer.  
 4 BY MR. PAHLKE:  
 5 Q. Answer, please.  
 6 A. That's correct.  
 7 Q. The problems that can be had are if the  
 8 power line is contacted or the power line, itself,  
 9 contacts a tree, that can cause a very specific  
 10 problem, true?  
 11 A. Yes.  
 12 Q. And that specific problem begins with  
 13 arcing, true?  
 14 A. That is not necessarily true, no.  
 15 Q. Is that one of the things that is true?  
 16 A. Yes.  
 17 Q. That's arcing of electricity to the tree?  
 18 A. That is correct.  
 19 Q. And other problems that can occur?  
 20 A. Well, there is certainly the safety aspect  
 21 of it. The electricity is going to ground through  
 22 that tree, and a lot determines as far as the  
 23 severity of that arc, it can be just burning laying  
 24 there on a limb without any arcing or anything else,  
 25 or it can just lay there and smoulder. It can be --

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1 carry a much larger arc when it contacts it. It all  
 2 depends on the situation where it is at on the  
 3 system, the conductivity of the tree. There is a  
 4 lot of variances that go into that.  
 5 Q. One of the variances is the dryness of the  
 6 tree?  
 7 A. Correct.  
 8 Q. And in your experience, are trees that are  
 9 dry more likely to be a problem than trees that have  
 10 a lot of moisture?  
 11 MR. BONA: Overbroad, incomplete  
 12 hypothetical.  
 13 THE WITNESS: I couldn't make a  
 14 determination on that. They're going to react  
 15 differently.  
 16 BY MR. PAHLKE:  
 17 Q. Do you know why?  
 18 A. The water can be a great conductor of  
 19 electricity.  
 20 Q. And if there is persistent arcing over a  
 21 period of days or weeks or years, what happens to  
 22 that part of the tree?  
 23 A. It's going to show a contact mark.  
 24 Q. What is witch's brooming?  
 25 A. Excuse me?

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1 MR. BAILEY: I didn't understand that.  
 2 BY MR. PAHLKE:  
 3 Q. What is witch's brooming?  
 4 A. I don't understand the question.  
 5 Q. Do you know what witch's brooming is?  
 6 A. No, I don't.  
 7 Q. In terms of the training that you have been  
 8 provided over the course of your career to make sure  
 9 that the power lines are being run in a safe way,  
 10 has that been by books?  
 11 A. It's been through standards codes, written  
 12 into manuals and standards based on where I was  
 13 working at the time.  
 14 Q. Did it also involve the use of computer  
 15 software programs?  
 16 A. It may have. I wasn't working with anything  
 17 related to that.  
 18 Q. At Beartooth, do you use computer software  
 19 programs to train employees about safety as it  
 20 relates to the interaction of power lines and trees?  
 21 A. We participate in a widespread safety  
 22 program that is operated with all the Montana  
 23 electric cooperatives, and through those trainings,  
 24 I'm sure I can't remember specifically, but I would  
 25 suspect that would be part of that training.

10 (Pages 31 to 34)